

OCT 25 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Alan M. Myers et al.
 Application No. : 10/634,262
 Filed : August 5, 2003
 Confirmation No. : 7055
 For : DULL1 CODING FOR A NOVEL STARCH SYNTHASE AND
 USES THEREOF
 Examiner : Fox, David, T.
 Attorney's Docket : ISU-003BX

TC Art Unit: 1638

 I hereby certify that this correspondence is being sent via facsimile
 to Examiner David T. Fox, TC Art Unit 1638, Fax No. (703) 872 9306, on
Oct. 25, 2004.

By:

Holliday C. Heine
 Holliday C. Heine, Ph.D.
 Registration No. 34,346
 Attorney for Applicant(s)

TERMINAL DISCLAIMER

VIA FACSIMILE
 Commissioner for Patents
 Washington, D.C. 20231

Sir:

The owner, IOWA STATE UNIVERSITY RESEARCH FOUNDATION, INC.,
 through its below signing representative, represents that it is the
 owner of record by assignment dated May 12, 2000, and recorded in the
 U.S. Patent and Trademark Office at Reel 010867, Frame 0207, of 100
 percent interest in U.S. Patent Application No. 09/554,467, filed on
 May 12, 2000, (now U.S. Patent No. 6,639,125), for dull1 CODING FOR A
 NOVEL STARCH SYNTHASE AND USES THEREOF, and of all continuations
 thereof, including the instant application, U.S. Application No.

- 1 -

WEINGARTEN, SCHURGIN,
 GARNERIN & LEBOVICI LLP

Application No. 10/634,262
Filed: August 5, 2003
Group Art Unit: 1638
Confirmation No.: 7055

10/634,262, filed August 5, 2003. The owner hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term including any term extensions or elongations, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,639,125. The owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,639,125, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term including any term extensions or elongations, as presently shortened by any terminal disclaimer of U.S. Patent No. 6,639,125, in the event that it later lapses for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is surrendered pursuant to reissue, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Application No. 10/634,262
Filed: August 5, 2003
Group Art Unit: 1638
Confirmation No.: 7055

[] For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned, whose title is supplied below, is empowered to act on behalf of the organization. A Certificate Under 37 C.F.R. § 3.73(b) is attached.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

[X] The undersigned is an attorney of record.

[X] Authorization is provided herewith to charge Deposit Account No. 23-0804 in the amount of \$110.00 for the cost of such Terminal disclaimer fee under 37 C.F.R. § 1.20(d).

Respectfully submitted,

IOWA STATE UNIVERSITY
RESEARCH FOUNDATION, INC.

By: Holliday C. Heine
Holliday C. Heine, Ph.D.
Attorney for Applicants

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

HCH/raw
312872-1

- 3 -

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.